



STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS

Cedar Creek Corrections Center

OPERATIONAL MEMORANDUM

APPLICABILITY
STAFF/OFFENDER

REVISION DATE
4/19/10

PAGE NUMBER
1 of 14

NUMBER
DOC 440.000

TITLE
PERSONAL PROPERTY FOR OFFENDERS

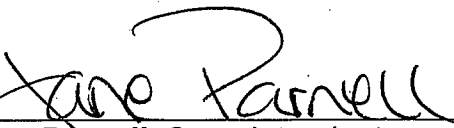
REVIEW/REVISION HISTORY:

	<u>OM</u>	<u>Policy Effective/Revision Date</u>
Effective:	9/29/95	9/29/95
Revised:	4/15/96	4/15/96
Revised:	12/27/99	12/27/99
Revised:	5/24/04	5/24/04
Revised:	7/28/05	7/28/05
Revised:	11/15/06	11/15/06
Revised:	3/5/08	3/5/08
Revised:	10/09/08	10/09/08
Revised:	2/19/09	3/01/09
Revised:	1/1/10	1/1/10
Revised:	4/19/10	4/19/10

SUMMARY OF REVISION/REVIEW:

Added Cedar Creek Corrections Center (CCCC) specific procedures.

APPROVED:



Jane Parnell, Superintendent
Cedar Creek Corrections Center

4-26-10
Date Signed



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REFERENCES:

DOC 100.100 is hereby incorporated into this *operational memorandum*; RCW 11.04.015; RCW 11.08; RCW 11.62.005; RCW 63.42; RCW 72.02.045; WAC 137-36-040; ACA 4-4164; ACA 4-4292; ACA 4-4293; ACA 4-4294; ACA 4-4339; DOC 320.255
IMU/ITU/Segregation/Mental Health Segregation Operations; DOC 420.375 Contraband and Evidence Handling; DOC 440.020 Transport of Offender Property; DOC 450.100 Mail for Offenders; DOC 450.120 Packages for Offenders; DOC 540.105 Recreation Program for Offenders; DOC 560.200 Religious Program; DOC 590.500 Legal Access for Offenders

OPERATIONAL MEMORANDUM:

- I. Retention of personal property by offenders will follow Department guidelines to meet safety, security, discipline, sanitation, accountability, and storage needs. [4-4164] [4-4292] [4-4294]
- II. All property authorized by this policy will be retained at the offender's risk.
- III. *The Correctional Captain is responsible for managing the requirements of this document.*

PROCEDURES:

- I. Allowable Property
 - A. The Maximum Allowable Personal Property Matrix (Attachments 2 and 3) identifies the types, value, and amount of personal property authorized for offender retention at the different security levels. [4-4293]
 1. Offenders may receive one set of new or used personal clothing no more than 30 days prior to release.
 - a) Release clothing may be sent or brought in by family or friends, or offenders may order new release clothing from an approved vendor.
 - b) The release clothing will be stored in the property room until the day of release.
 - c) *If an offender does not have release clothing, the offender will work with the Chaplain for clothes from the Clothing Closet.*
 2. Offenders are responsible for ensuring that the value of the property in their possession is no greater than the dollar values identified on the Maximum Allowable Personal Property Matrix (Attachments 2 and 3). The



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dollar values indicate the maximum amount that an offender will be reimbursed for the item if it is determined, through the tort claim process, that the item has been lost or damaged due to staff negligence.


- B. Offenders with less restrictive custody than the security level of the facility in which they are housed must comply with the property matrix for that facility's security level.
 - 1. A temporary segregation placement will not result in an offender having to comply with more restrictive property allowances. Property will be inventoried and stored until the placement decision is made.
- C. Offenders may acquire personal property only through the following sources:
 - 1. Facility offender stores,
 - 2. Approved vendors, - *CCCC Approved Vendor List (Attachment 4)*
 - 3. Quarterly packages,
 - 4. Education or religious programs, and/or
 - 5. Hobby craft items made by the offender and authorized for retention at the facility.

II. Exceptions

- A. Superintendents will not allow more or less property or substitute items unless they receive prior written approval through the chain of command from the Assistant Secretary for Prisons/designee.

III. Religious Items

- A. Allowable Religious Items (Attachment 1) identifies the types and amount of religious items an offender may possess.
 - 1. Religious items may be obtained per DOC 560.200 Religious Program. Items will be issued by the Chaplain and documented on DOC 05-062 Record of Offender Property.
 - 2. No animal fur, claws, or bones are authorized on or for any religious item.
 - 3. Offenders may retain religious items they make, decorate, or embellish with prior approval from the Chaplain/designee.
 - a) Alterations to religious items will be noted in the item description on DOC 05-062 Record of Offender Property.

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- b) Each facility will establish a process for Native American offenders to make Pow Wow gift items for outside guests.
- B. Religious items identified as sacred in Attachment 1 will be stored in a sacred items box.
 1. The sacred items box is 17 inches long, 8 inches wide, and 6 inches deep, and marked "Sacred Items" on the top and sides. The boxes are manufactured by Correctional Industries and ordered from Airway Heights Corrections Center.
 2. Boxes will be purchased by the offender from the facility offender store. Indigent offenders may incur a debt to purchase a box.
 - a) The box will be labeled with the offender's first and last name and DOC number.
 - b) Sacred items will be listed on the copy of DOC 05-062 Record of Offender Property kept inside to the box. The box and/or items may be carried to and from applicable religious activities.
 - c) Only sacred items and the copy of DOC 05-062 Record of Offender Property will be stored in the sacred items box. When used to store other items, including contraband and non-sacred religious items, an infraction will be issued and the box and contents will be confiscated. The box and non-sacred items will be disposed of per DOC 440.000 Personal Property for Offenders and DOC 420.375 Contraband and Evidence Handling. The Disciplinary Hearing Officer will determine whether:
 - 1) The sacred items box and sacred items will be returned, or
 - 2) A new sacred items box and sacred items will be issued at the offender's expense. A new sacred items box will only be issued when the offender has been authorized and issued new sacred items.
 - d) All offenders must ensure that their combined authorized sacred items fit in the box. Offenders must put all sacred items into the box when the items are not in use, and when leaving their cell or unit.
 - e) Altering the box is prohibited. Only the offender name and DOC number may be on the outside of the box.



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3. The box itself is not sacred. However, sacred items will be handled with respect.
- C. Searches of religious items, including items identified as sacred in Attachment 1, will comply with DOC 420.320 Searches of Facilities. Unauthorized religious property items will be disposed of as unauthorized property as outlined in this policy.
- IV. Washington Corrections Center (WCC) or Washington Corrections Center for Women (WCCW) Reception Diagnostic Centers
 - A. Newly received offenders at WCC or WCCW will receive a copy of the Maximum Allowable Personal Property Matrix (Attachments 2 and 3) during orientation and will sign DOC 21-992 New Offender Orientation Checklist acknowledging receipt and agreeing that personal property they receive will not exceed the value limits identified. [4-4292]
 - B. Newly received offenders will sign DOC 21-139 Property Disposition to identify a person to receive the unauthorized property currently in their possession.
 1. Persons designated to receive property cannot be presently incarcerated.
 2. The offender may determine the disposition of property (i.e., donate to charity or discard) if s/he is not able to identify a person to receive the property.
 - C. Funds arriving with offenders will be placed in the offender's account.
 - D. Offenders may not possess appliances while at the Reception Diagnostic Center.
- V. General Housing Units
 - A. The following additional items are authorized in general population at close, medium, or minimum facilities:
 1. Books, periodicals, and publications must be stored in a space not to exceed a 2,160 cubic inch capacity (e.g., an 18" x 12" x 10" box). These items must be kept in the designated area identified by the facility except when in use.
 - a) Publications must comply with DOC 450.100 Mail for Offenders.
 2. Legal materials will be authorized per DOC 590.500 Legal Access for Offenders. The materials will be stored in the cell and should not exceed what can be contained in a 2,160 cubic inch box (e.g., 18" x 12" x 10").



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3. Unframed personal/family photographs, personal mail, journals or diaries, writing pads, pencils, pens, and personal papers in an amount not to exceed what can be contained in a 432 cubic inch box (e.g., 12" x 6" x 6").
4. Toothbrushes, shaving cream, safety razors, and other personal hygiene items authorized for sale in the facility store in an amount not to exceed what can be contained in a 432 cubic inch box (e.g., 12" x 6" x 6").
5. Musical instruments may be retained in compliance with the Maximum Allowable Personal Property Matrix (Attachments 2 and 3) and DOC 540.105 Recreation Program for Offenders. Upon receipt of a musical instrument, and after each transfer, an offender will complete DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the instrument.
6. Completed hobby craft items, as determined by recreation staff, will be mailed out of the facility at the offender's expense. However, completed items that are allowed by the Maximum Allowable Personal Property Matrix (Attachments 2 and 3) may be put on an offender's property inventory. Offenders are responsible for disposing of hobby craft items not included on DOC 05-062 Record of Offender Property at their own expense prior to departing a facility.
 - a) When offenders order hazardous chemicals/materials, they will request the Material Safety Data Sheet (MSDS) for the product(s). When offenders transfer, chemicals/materials will not be shipped or mailed out of the facility. The products must be disposed of per Environmental Protection Agency (EPA) regulations at the offender's expense.
7. Upon purchase of a television, and after each transfer, offenders will complete DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the television. In cases where a television is shipped and the actual shipping cost exceeds the amount reserved, the difference will be treated as a debt the offender must pay.
 - a) The offender is responsible for any expense for disposal of his/her television.
 - b) *The Property Officer will complete an Electronic Device Inspection (Attachment 5) for the television before issuing the item to the offender.*



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8. Upon purchase of a radio/stereo/cassette/CD player or typewriter, offenders will complete DOC 06-075 Offender Request to Transfer Funds for \$15.00 to cover the shipping charges for the item.

a) *The Property Officer will complete an Electronic Device Inspection (Attachment 5) for the radio/stereo/cassette/CD player or typewriter before issuing the item to the offender.*

VI. Special Housing Units

- A. Facilities will develop written procedures governing personal property to address the needs of special housing units. The Superintendent may suspend, reduce, or eliminate personal property in these units to:
1. Ensure the health and/or safety of staff and offenders,
 2. Facilitate medical or mental health treatment objectives, and/or
 3. Maintain order and security.
- B. DOC 320.255 IMU/ITU/Segregation/Mental Health Segregation Operations will govern personal property in Intensive Management Units (IMUs). Offender excess personal property not authorized in IMU will be stored by the facility.

VII. Unauthorized Property

- A. Negotiable instruments are not authorized.
- B. Pagers, cellular phones, watches that receive text messages, and other such devices will be disposed of as contraband.

VIII. Restriction of Incoming and Outgoing Personal Property

- A. If any portion of an offender's incoming or outgoing personal property is restricted, property staff will provide written notification to the offender using DOC 21-139 Property Disposition.
- B. Each facility will develop an internal appeal process. The Superintendent/designee will make the final decision. *At CCCC, the designee is the Correctional Captain.*
1. *If the property is restricted from coming in, the offender may appeal the restriction to the Correctional Captain. The Correctional Captain will make the final decision within seven calendar days and provide a written response to the offender.*

IX. Property Inventory



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- A. All personal property retained by an offender will be itemized and recorded on DOC 05-062 Record of Offender Property or local computer version. [4-4294] Items will be marked with the offender's DOC number for identification. Items which cannot be marked (e.g., glasses) must be thoroughly described and identified as unmarked on DOC 05-062 Record of Offender Property or equivalent.
1. Any inventory of personal property will be completed in the presence of the offender when possible.
 - a) All items will be listed using accurate, descriptive information, including:
 - 1) Size,
 - 2) Color,
 - 3) Make or brand,
 - 4) Serial or identification number, and
 - 5) The condition of the item.
 - b) Additions or deletions on DOC 05-062 Record of Offender Property will be made by staff.
 - c) The offender will be responsible to ensure his/her DOC 05-062 Record of Offender Property remains accurate and current.
 2. The offender will be permitted to review the completed DOC 05-062 Record of Offender Property before signing. The designated staff will witness the signature.
 3. Offenders should not be authorized to handle the property of other offenders and will not process personal property of other offenders.
- B. Offender personal property will be inventoried and secured as appropriate in the event of escape, death, or an anticipated extended absence of the offender.
1. The property will be boxed, taped, and placed in a secured area. Large items that cannot be boxed will be tagged.
 2. Staff will handle offender property with care to avoid damage, destruction, or misrouting.
 3. The staff conducting the inventory will sign and date DOC 05-062 Record of Offender Property. A copy of the form will be given to the offender, or



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the person designated to receive the property in the case of death, as soon as possible.

- C. *Within one hour after placement into the Secured Housing Unit, a staff member will secure all of the offenders property. The Staff will note on DOC 05-062 Record of Offender Property if the locker(s) were secured or un-secured.*
1. *An inventory of all the property will be completed by at least two qualified staff members on DOC 05-062 Record of Offender Property during the shift that the placement into the Secured Housing Unit has taken place, unless authorized by the Unit Sergeant or higher.*
- a) *The Staff that initiated the inventory will finish the inventory.*
 - b) *The Staff conducting the inventory will compare the property with the Offender's Property Matrix and remove any access property and provide written notification to the offender using DOC 21-139 Property Disposition.*
 - c) *After completion of the property inventory; staff will allow the offender to review the completed DOC 05-062 Record of Offender Property before signing. The designated staff will witness the signature.*
- X. Property Transfer
- A. All offender personal property will be inventoried and secured prior to transfer. Only authorized property will be transported/mailed/shipped to other Department facilities.
 - B. The Department will transport a limited amount of offender property per DOC 440.020 Transport of Offender Property. Offenders accumulating more than the amount of property the Department will transport will do so at their own risk. The Department assumes no responsibility in transporting such excess property.
 - C. Offenders transferred from one facility to another will arrange for the shipping of their excess authorized personal property, at their own expense, prior to leaving the sending facility. The offender will have 90 days from the date of transfer to arrange for shipping of such property. Failure to comply will result in the property being declared abandoned and disposed of per this policy.
 - D. All offender personal property secured for transport, regardless of carrier, may not exceed 25 pounds per box.

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E. The Property Officer will complete an Electronic Device Inspection (Attachment 5) for all electronic items before the item is secured for transport.

XI. Property Storage

A. Offenders will store personal property per facility requirements.

B. Facilities will only store offender personal property when:

1. Offenders are placed in segregation, the hospital, out to court, or other situations where they temporarily lose control of their personal property.
2. Offender personal legal documents exceed the amount allowed to be stored by the offender.

C. *Nothing will be placed on top of wall lockers or footlockers.*

1. *Offenders will store their dirty laundry in their lockers.*

D. *Cedar Creek Corrections Center (CCCC) is not responsible for theft, loss or damage of personal items retained at CCCC. Offenders are responsible to ensure their personal property is secured. Offenders will keep lockers locked.*

E. *The following items are allowed to be maintained outside an offender's locker:*

1. *One lamp with a white, 25-watt bulb (sold through the offender store);*
2. *Cascade only: one state issue lamp with a white, 25-watt bulb on a small state issue table;*
3. *One small fan clipped to bed;*
4. *One radio/tape player and head phones placed on shelf at head of bed;*
5. *One towel;*
6. *One washcloth;*
7. *One musical instrument;*
8. *One pair shoes and a pair of shower shoes may be placed on the floor when the offender is on his bunk or in his bunk area;*
9. *One state issue jacket may be hung on offender's locker hook; and*
10. *One alarm clock placed on shelf at head of bed.*



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- F. Offenders will not move beds, wall lockers, and footlockers except for cleaning. Footlockers will be placed under the beds.
- G. Items such as blankets or sheets will not be draped around the bed at any time. Items will be placed so they do not block full view of the bed.
- H. Windows, doors and lights will remain uncovered except when covers are authorized for a specific purpose.
- I. Surge protectors with more than one plug in are permitted.
- J. All combustible material will be at least 18 inches from heat sources.
- K. Televisions are allowed on all of Olympic and Cascade tiers except Cascade B-wing.
 - 1. Televisions are allowed to remain outside the lockers on the state issue table provided in between the bunks.
 - 2. Television headphones, earplugs or "y" adapters must remain in the offender's locker when not in use.
- L. Pictures, drawings and papers will be neatly organized and within the borders of the offender's picture board.
 - 1. Scotch tape or masking tape may be used to attach items to the picture board.
 - 2. Sexually explicit pictures will not be displayed as described in DOC Policy 450.100 Attachment 1.
 - 3. Magazine and newspaper clippings of any size, including photos, will not be displayed.
 - 4. Pornography and obscene comments or gestures will not be displayed.

XII. Disposition Options

- A. Offenders will have 30 days to dispose of the property identified as excess or unauthorized.
 - 1. If the offender lacks funds, refuses to pay the required postage, or refuses to designate a person to receive the property, such items will be:
 - a) Donated to a charitable organization per WAC 137-36-040, or



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- b) Destroyed by staff per DOC 420.375 Contraband and Evidence Handling.
- B. Any items found in the offender's possession, except magazine and newspaper articles/clippings, that are not listed on the property record, have distorted or altered markings, or are substantially modified from the manufacturer's original configurations will be considered contraband and disposed of per DOC 420.375 Contraband and Evidence Handling.
- C. Currency, personal checks, credit cards, and money orders are considered negotiable instruments and are considered contraband. If found in the unauthorized possession of an offender, an infraction will be initiated and the money or negotiable instrument confiscated immediately and deposited in the Offender Welfare Betterment Fund.
1. The offender will be advised, in writing, of his/her right to seek review of the decision to place the money in the Offender Welfare Betterment Fund. The request for review must be made, in writing, to the Superintendent within 10 calendar days. The Superintendent will make the final decision.
- D. All illegal items owned by and/or found in the possession of an offender will be confiscated. The items will be held as evidence for law enforcement authorities. Illegal items that do not need to be retained as evidence will be destroyed per DOC 420.375 Contraband and Evidence Handling.
- E. Abandoned personal property, with the exception of excess authorized personal property as described above, will be disposed of per WAC 137-36-040.
- F. Property of deceased offenders not disposed of as abandoned per WAC 137-36-040 will be disposed of per RCW 11.08.
1. Any person claiming to be a successor, as defined in RCW 11.62.005, must submit DOC 05-698 Affidavit for Disposition of Personal Property and provide proof of qualification before the Superintendent may transfer property.
- a) Offenders may not receive a deceased offender's property by Will.
2. A copy of the affidavit will be mailed, along with the deceased offender's social security number, to the Washington State Department of Social and Health Services' Office of Financial Recovery.

XIII. Restrictions



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- A. Offenders may not trade, sell, buy, barter, loan, or give away any personal property to another offender, another offender's family and/or friends, or staff.

XIV. Return of Personal Property upon Release

- A. Upon formal release from a Department facility, an offender's personal property in the custody of the facility will be returned to him/her.
- B. The offender must sign DOC 05-062 Record of Offender Property acknowledging return of all personal property upon release. The original form will be placed in the offender's file.

XV. Compliance Audits

- A. Each facility will establish written procedures to ensure each offender's property is inventoried at least once each year. Excess or unauthorized property will be disposed of per this policy.
1. *A complete search and inventory of the offender's belongings will occur with the use of the property matrix to verify the ownership of all listed property upon transfer into CCCC.*
 2. *The Property Officer will complete a monthly review of offender property records to identify offenders that have not had a compliance audit of their property completed in the past 11 months.*
 3. *The Property Officer will identify offenders that must have a compliance audit completed within the next 30 days.*
 - a) *The Property Officer will provide a property matrix to the Correctional Unit Supervisor (CUS) of each living unit for each offender that requires a compliance audit.*
 - b) *The CUS is responsible to ensure that staff complete a property inventory utilizing the offenders property matrix. The inventory must be completed by the end of each month.*
 - c) *The property matrix of all compliance audits will be reviewed by the CUS. The CUS will forward the completed property matrix to the Property Officer for retention.*
 4. *The Property Officer will provide a written report to the Correctional Captain and Correctional Program Manager (CPM) that identifies completed compliance audits and required compliance audits that were not completed.*



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DEFINITIONS:

The following words/terms are important to this *operational memorandum* and are defined in the glossary section of the Policy Manual: Contraband, Illegal Items, Offender's Expense. Other words/terms appearing in this policy may also be defined in the glossary.

ATTACHMENTS:

Allowable Religious Items (Attachment 1)

Maximum Allowable Personal Property Matrix - Men's Facilities (Attachment 2) [4-4293]

Maximum Allowable Personal Property Matrix - Women's Facilities (Attachment 3) [4-4293]

CCCC Approved Vendor List (Attachment 4)

Electronic Device Inspection (Attachment 5)

DOC FORMS:

DOC 05-062 Record of Offender Property [4-4294]

DOC 05-698 Affidavit for Disposition of Personal Property

DOC 06-075 Offender Request to Transfer Funds

DOC 21-139 Property Disposition

DOC 21-992 New Offender Orientation Checklist

CCCC APPROVED VENDOR LIST

Approved Vendor	Type
Access Music	Music CD's
America Publishers Service	Magazine Subscriptions
American Musical Supply	Music Equipment
Azure Green	Religious
Blicks	Art Supplies/Hobby
Eastbay	Shoes
Foam & Fabric	Velvet/Foam
Grizzly Industrial	Shop Tools/Accessories
Hardel Hardwoods	Exotic hardwoods
J.L. Marcus	Shoes/Electronics
Music 6000	Music Equipment
Music by Mail	Music CD's
Musician's Friend	Music Equipment
Pack Central	Music CD's
Shipwreck Beads	Hobby Craft
Union Supply Co.	Electronics
Walkenhorst's	Shoes/Food
Walkenhorst's Music	Music CD's

Electronic Device Inspection

Date:

Offender Name:

Offender DOC #:

(Please indicate its condition in the provided space below.)

Television:			<input type="checkbox"/> Operable	<input type="checkbox"/> Inoperable
Brand Name	Model	Serial Number		
Other Noticeable Damages:				

Radio:			<input type="checkbox"/> Operable	<input type="checkbox"/> Inoperable
Brand Name	Model	Serial Number		
Other Noticeable Damages:				

Typewriter:			<input type="checkbox"/> Operable	<input type="checkbox"/> Inoperable
Brand Name	Model	Serial Number		
Other Noticeable Damages:				

Packed By:

Offender's Signature – DOC Number (if present)

Date

Staff Signature (if offender is not present)

Witnessed By:

Staff Signature

Date